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May 30, 2003

Mr. John P. Puerner
Publisher, President and Chief Executive Officer
Los Angeles Times
202 W. First Street
Los Angeles, California 90012

Dear Mr. Puerner:

In light of the recent, nationally reported ethical issues faced by The New York Times, the Salt Lake Tribune, and the Los Angeles Times, I am compelled to notify the Los Angeles Times of its ethical lapses and broken representations which pertain to Orange County District Attorney's Office (hereinafter "OCDA"). With this letter, I am hereby requesting the Los Angeles Times to: 1) investigate improper and unethical actions by two Los Angeles Times editors and one staff writer, including the fabrication of facts and events in printed articles, and 2) correctly state the comments made by the OCDA to reflect our true position.

Since December of 2001, your staff writer Stuart Pfeifer has fabricated a series of stories relating to the OCDA.

The fabrications were subsequently pointed out to this staff writer and his immediate supervisor, the then-assistant city editor Shelby Grad. When nothing was done to curb his ethical lapses, this staff writer became emboldened and the stories became increasingly more riddled with factual fabrications and bias. In addition, the Los Angeles Times has repeatedly lied when it continues to write that the Orange County District Attorney's Office has "no comment" or "cannot be reached for comment" when in fact we have consistently commented in writing.

It should be noted that the OCDA holds these allegations to be serious and we made them with specificity and in good faith. Also, the complaints were not coverage related, that is, the complaints were not based on whether they cast a "favorable or unfavorable" light on the OCDA. The complaints were regarding fabricated facts and factual errors, and a lack of balance to articles.

In order to deal with this situation, the OCDA adopted a policy in the fall of 2002 of not responding to individualized press inquiries relating to stories that Mr. Pfeifer was authoring or co-authoring. The OCDA responded to this staff writer's action through numerous letters and phone calls detailing the specific factual errors. In September of 2002, there was a meeting conducted to between Susan Schroeder and your editor Jack Robinson to discuss the specifics of Mr. Pfeifer's conduct.

In January 2003, an interview was granted regarding my swearing-in to a new term of office, to Christine Hanley based upon the representation that Mr. Pfeifer was neither an author nor co-author of the story. The heavily negotiated term for this interview was breached when Mr. Pfeifer took comments given from that interview and used them in another story. This violation of the terms of the interview led to another change in the OCDA policy to reflect that the OCDA was now not responding to individualized requests for comment from the Los Angeles Times, regardless of who the reporter may be.

On February 14, 2003, Orange County Deputy District Attorney Susan Schroeder met with your editors Jack Robinson and Richard Kipling and provided them with detailed documentation of fabricated facts and events in

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numerous stories authored by Mr. Pfeifer. My campaign chairman also attended the meeting to discuss the same issues that my campaign had encountered with Mr. Pfeifer. At the conclusion of the final meeting, Mr. Kipling offered, "Can we make a deal on this." To this question Ms. Schroeder responded, "What do you have in mind?" Mr. Kipling then proposed an agreement that the OCDA accepted. The terms of this agreement were:

- 1) The Los Angeles Times would rotate Mr. Pfeifer off the OCDA beat within weeks of the meeting "because he was due to a move anyway."
- 2) The OCDA would immediately reverse its policy of not responding to inquiries from Los Angeles Times reporters and instead revert back to its prior policy of refusing to respond to individualized inquiries from Mr. Pfeifer.
- 3) The Los Angeles Times would promptly respond to our requests for corrections and we would have an open dialogue with your office.
- 4) The OCDA would start a new relationship with the new staff writer whomever he or she may be.

In light of our agreement with Mr. Kipling, the OCDA immediately changed our policy back to responding to all media inquiries from Los Angeles Times reporters other than Mr. Pfeifer. The Los Angeles Times did not honor its agreement. Ms. Schroeder contacted Mr. Kipling in early March 2003 on several occasions to find out the reason(s) why it had failed to honor its agreement. Mr. Kipling still has not returned these calls.

It is reprehensible that the Los Angeles Times has printed fabricated stories and then engaged in lies and cover-ups with regard to its conduct since your paper has always held itself out as a crusader against public corruption and a leader of journalistic ethics.

It is hypocritical at best when Mr. Robinson says in the Thursday, May 20, 2003 edition of the Orange County Register "Rackauckas' policy doesn't serve readers." Mr. Robinson further states "The (Los Angeles) Times doesn't feel it is in the public's best interest for a public official to withhold comment, in effect keeping readers and his constituents in the dark ... A policy of secrecy is bad public policy for any public official." Was the Los Angeles Times engaged in a "policy of secrecy" when two Los Angeles Times officials refused to respond or comment to repeated calls from the Orange County Register on April 2, 2003 when a Los Angeles Times photographer fabricated and altered a photograph regarding its Iraq War coverage? Was the Los Angeles Times "serving" the readers?

I look forward to hearing from you if you wish to discuss this situation further; otherwise, we respectfully request the Los Angeles Times quote the OCDA accurately to reflect our true comment that: "It is the official policy of the Office of the District Attorney not to respond to inquiries from any Los Angeles Times Staff Writers because of the past pattern of fabricated facts and events in the Los Angeles Times stories. Therefore, it would not be accurate for the Los Angeles Times to state that the Office has no comment, because this is our comment."

Sincerely,



District Attorney
County of Orange

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

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